

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,
Plaintiff,

v.

ONE 1993 BMW 3251
VEHICLE IDENTIFICATION NUMBER
WBAF431XPEK09579;
REGISTRATION NUMBER 40RH40
Defendant.

FILED
IN CLERKS OFFICE

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2005 FEB 15 P 1:43

Civil Action No.

U.S. DISTRICT COURT
DISTRICT OF MASS.

WARRANT AND MONITION

To: THE UNITED STATES MARSHAL
FOR THE DISTRICT OF MASSACHUSETTS
AND HIS DEPUTIES

We Command You that you give notice to all persons concerned that a Verified Complaint for Forfeiture in Rem (the "Complaint"), a copy of which is attached hereto, has been filed by the United States of America against One 1993 BMW 3251, vehicle identification number WBAF431XPEK09579, seized on or about August 20, 2004, as a result of a motor vehicle stop of a red BMW, and a search of the motor vehicle incident to the arrest of its operator, on Salem Street, in Malden, Massachusetts (the "Defendant Vehicle"), for forfeiture to the United States of America pursuant to 21 U.S.C. §881(a)(4).

This Court having found probable cause for forfeiture of the Defendant Vehicle, you are hereby directed to serve, and give notice of, the Complaint by:

- (1) Publishing notice of the United States' intent to forfeit the Defendant Vehicle, at least once per week for three successive weeks, in the Boston Herald, Boston Globe, or any other newspaper having a general circulation in this

District.

- (2) Mailing copies of this Warrant and Monition, together with a copy of the Complaint to:

Michael Mills
25 Verona Street
Lynn, MA 01904

Michael Mills
C/O LaFlamme, Barron & Chabot
114 Kenoza Avenue
Haverhill, MA 01830

by certified mail, postage prepaid and return receipt requested, or by serving such copies on those parties by hand.

You Are Further Commanded to arrest, attach, inspect and retain the Defendant Vehicle in your custody until further order of this Court;

You Are Further Commanded to give due notice by appropriate service of process, as provided herein, to all persons who claim an interest in any or all of the Defendant Vehicle or assert that the Defendant Vehicle should not be condemned and disposed of pursuant to the prayer of the Complaint. Upon execution of this process, you are directed further to file the execution in this Court with your return thereon.


ALL CLAIMS TO THE DEFENDANT VEHICLE, MUST BE FILED WITH THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS, AND SERVED UPON THE UNITED STATES ATTORNEY'S OFFICE, ASSET FORFEITURE UNIT, UNITED STATES COURTHOUSE, SUITE 9200, ONE COURTHOUSE WAY, BOSTON, MASSACHUSETTS 02210, WITHIN THIRTY (30) DAYS AFTER PROCESS

HAS BEEN EXECUTED, OR WITHIN SUCH ADDITIONAL TIME AS MAY BE ALLOWED BY THIS COURT. ALL ANSWERS TO THE COMPLAINT MUST BE FILED AND SERVED WITHIN TWENTY (20) DAYS AFTER THE FILING OF THE CLAIM. CLAIMS MUST BE FILED IN ACCORDANCE WITH THE FEDERAL RULES OF CIVIL PROCEDURE, SUPPLEMENTAL RULES FOR CERTAIN ADMIRALTY AND MARITIME CLAIMS. THE PROCEDURES FOR FILING A PETITION FOR REMISSION OR MITIGATION ARE SET FORTH IN 28 C.F.R. PART 9. IN ADDITION TO THE PROCEDURES MANDATED BY THOSE REGULATIONS, A COPY OF ANY PETITION FOR REMISSION OR MITIGATION SHOULD BE FILED WITH THE SEIZING AGENCY, WHICH IS THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION, JFK FEDERAL BUILDING, ROOM E-400, 25 NEW SUDBURY STREET, BOSTON, MASSACHUSETTS 02203-0131, ATTENTION: ASSET FORFEITURE GROUP.

TONY ANASTAS, Clerk
U.S. District Court

By: 
Deputy Clerk
Date: 2/28/05

APPROVED AND SO ORDERED:


United States District Judge
Date: Feb. 28, 2005